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February 3, 2020

**VIA ECF**

Hon. Colleen McMahon  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

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RECEIVED  
Colleen McMahon  
2/4/2020

**Re: Delacruz v. Verizon Communications, Inc., Civil Action No.: 1:19-cv-11022**

Dear Judge McMahon:

This firm represents Defendant Verizon Communications, Inc. ("Defendant") in the above-referenced action. We have conferred with Plaintiff's counsel and write, with Plaintiff's concurrence, to jointly request that the Court: (1) extend the deadline for Defendant to respond to the Complaint by 30 days; (2) "So Order" the parties' proposed schedule for Defendant's anticipated motion to dismiss and Plaintiff's anticipated amendment of the Complaint; and (3) adjourn the Initial Pretrial Conference until a date after the parties complete briefing of Defendant's motion. This is the first request for either an extension of the responsive pleading deadline or an adjournment of the Initial Pretrial Conference.

By way of background, Defendant's current deadline to respond to the Complaint is February 10, 2020, by operation of a Fed. R. Civ. P. 4 Waiver of Service. (ECF No. 5.) The Initial Pretrial Conference is presently scheduled for March 20, 2020 at 11:00 a.m. (ECF No. 6.)

Defendant plans to file a motion to dismiss which, if granted, would fully dispose of the case. The parties have conferred, and Plaintiff anticipates filing an Amended Complaint upon receipt of Defendant's initial motion papers. Accordingly, the parties jointly request that the Court enter the following briefing schedule, which incorporates Plaintiff's anticipated amendment of the Complaint pursuant to Fed. R. Civ. P. 15(a)(1):

Motion to Dismiss: by March 11, 2020 (extended from the current responsive pleading deadline of February 10, 2020)

Plaintiff to Amend the Complaint: by March 25, 2020



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Defendant to Respond/Move to Dismiss the Amended Complaint: by April 17, 2020

Opposition to Motion to Dismiss the Amended Complaint: by May 22, 2020

Reply in Support of Motion to Dismiss the Amended Complaint: by June 12, 2020

Further, as per Paragraph "4" of the Order Scheduling an Initial Pretrial Conference (ECF No. 6), the parties also respectfully request that the Court adjourn the Initial Pretrial Conference to a date after briefing is completed (i.e., after June 12, 2020).

The parties submit this joint request in good faith and not to cause undue delay. This request, if granted, will not affect any other scheduled dates. We thank the Court for its time and attention to this matter, and for its consideration of this application.

Respectfully submitted,

SEYFARTH SHAW LLP

*/s/ John W. Egan*

John W. Egan

cc: All counsel of record (via ECF)